

1 THE HONORABLE JOHN H. CHUN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 AVELARDO RIVERA and
9 YASMINE ROMERO, individually, and
on behalf of all others similarly situated,

10 Plaintiffs,
11 v.

12 AMAZON WEB SERVICES, INC.,

13 Defendant.

No. 2:22-CV-00269-JHC

STIPULATED MOTION AND
ORDER TO MODIFY DEADLINES

NOTED ON MOTION CALENDAR:
August 17, 2023

Pursuant to Local Civil Rules 7(d)(1) and 10(g), plaintiffs Avelardo Rivera and Yasmine Romero (“Plaintiffs”), together with defendant Amazon Web Services, Inc. (“AWS”) (collectively, the “Parties”), respectfully move for (1) a brief 10-day extension of the Parties’ deadlines for completing briefing on Plaintiffs’ pending motion to compel discovery (Dkt. 83) and (2) an extension of the Parties’ deadlines for disclosing experts and expert reports regarding class certification issues.

In support of the foregoing requests for relief, the Parties state as follows:

1. Former named plaintiff Jacinda Dorian filed the original complaint in this case on March 7, 2022. *See* Dkt. 1.

2. AWS filed a motion to dismiss the original complaint on May 16, 2022.

See Dkt. 21.

1 3. On September 20, 2022, the Court allowed Ms. Dorian to file a First Amended
 2 Complaint (“FAC”) substituting Plaintiffs as the named plaintiffs. *See* Dkt. 43.

3 4. AWS moved to dismiss the FAC on October 19, 2022. *See* Dkt. 45.

4 5. On July 21, 2023, the Court granted the Parties’ stipulated motion to allow
 5 Plaintiffs to file a Second Amended Complaint (“SAC”). *See* Dkt. 81.

6 6. On July 24, 2023, Plaintiffs filed a motion to compel responses to certain
 7 discovery requests. *See* Dkt. 83.

8 7. Plaintiffs filed their SAC on July 26, 2023. *See* Dkt. 88. That same day, the Court
 9 denied AWS’s motion to dismiss. *See* Dkt. 89.

10 8. On August 1, 2023 the Court granted the Parties’ stipulated motion to modify the
 11 briefing schedule for Plaintiffs’ pending motion to compel discovery. *See* Dkt. 91.

12 9. Currently, AWS’s opposition to Plaintiffs’ pending motion to compel discovery
 13 is due on August 21, 2023. Plaintiffs’ reply in support of their pending motion to compel
 14 discovery is due on September 5, 2023. *See* Dkt. 91.

15 10. Further, Plaintiffs’ deadline to disclose their experts and expert reports regarding
 16 class certification issues is August 21, 2023. AWS’s deadline to disclose its experts and expert
 17 reports regarding class certification issues is September 25, 2023. *See* Dkt. 67.

18 11. The Parties have conferred and Plaintiffs agree to AWS’s request for a brief 10-
 19 day extension to investigate and respond to Plaintiffs’ pending motion to compel discovery.

20 12. In addition, the Parties have conferred and agree that it would serve the interests
 21 of efficiency to extend the Parties’ expert disclosure deadlines regarding class certification, as
 22 well as the other scheduling order deadlines that follow, *see* Dkt. 67, to ensure the Parties have
 23 the benefit of the Court’s ruling on Plaintiffs’ recently-filed motion to compel discovery before
 24 they prepare and disclose their expert reports, complete expert discovery on class certification
 25 issues, and brief class certification.

1 13. Good cause exists for these extensions based on the complexity of this matter, the
2 current procedural posture, and pre-planned absences of the parties and their counsel.

3 14. In light of the foregoing, the Parties jointly request that the Court modify the
4 briefing schedule for Plaintiffs' pending motion to compel discovery as follows:

5 a. AWS's opposition brief shall be filed on or before August 31, 2023.

6 b. Plaintiffs' reply brief shall be filed on or before September 15, 2023.

7 15. The Parties also jointly request that the Court modify the Parties' deadlines for
8 disclosing expert reports regarding class certification issues as follows:

9 a. Plaintiffs' experts and expert reports regarding class certification issues shall
10 be disclosed no later than 30 days after the Court's ruling on Plaintiffs'
11 pending motion to compel discovery (if the Court denies the motion) or 30
12 days after the new fact discovery deadline (if the Court grants the motion and
13 sets a new fact discovery deadline).

14 b. AWS's experts and expert reports regarding class certification issues shall be
15 disclosed no later than 45 days after the disclosure of Plaintiffs' experts and
16 expert reports.

17 16. Following the Court's ruling on Plaintiffs' pending motion to compel discovery,
18 the Parties will confer regarding an appropriate schedule for the completion of expert discovery
19 regarding class certification issues and the briefing schedule on Plaintiffs' forthcoming motion
20 for class certification and will propose a schedule for the Court's consideration.

21 WHEREFORE, the Parties respectfully request that the Court enter an order extending
22 and modifying the existing case deadlines in accordance with this Stipulated Motion.

1 Dated: August 17, 2023

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16 Attorneys for Plaintiffs
17 AVELARDO RIVERA AND
YASMINE ROMERO

ORDER

IT IS SO ORDERED.

DATED this 18th day of August, 2023.

John H. Chase

HONORABLE JOHN H. CHUN
UNITED STATES DISTRICT JUDGE

Presented by:

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